

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

April 11, 2019

Chairperson T. Michalski called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: T. Michalski, E. Hood, J. Doyle, J. Montgomery-Keast, B. Mazade, F. Peterson

MEMBERS ABSENT: S. Gawron, excused; M. Hovey-Wright, excused; B. Larson, excused

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: C. Beacham, 1877 Sanford; M. Poletti, 3244 Thompson Rd; B. Evans, 3171 Lakeshore Dr; R. Schaub, 3232 Thompson Rd; G. Schaub, 3232 Thompson Rd

APPROVAL OF MINUTES

A motion to approve the Minutes of the regular Planning Commission meeting of March 14, 2019 was made by J. Montgomery-Keast, supported by B. Larson and unanimously approved.

PUBLIC HEARINGS

Hearing, Case 2019-08: Request for a Special Use Permit to operate a car dealership at 2386 S Getty St, by International Auto Group, LLC. M. Franzak presented the staff report. The property is zoned B-4, General Business, which allows auto sale lots with a Special Use Permit. The zoning ordinance states that ingress and egress to the outdoor sales area shall be at least sixty feet from the intersection of any two streets; however, this property has curb cuts closer than 60 feet from the intersection of Getty St. and Hovey St. The Special Use Permit should require that a 10-foot greenbelt buffer be installed inside the sidewalk. Although there does not appear to be enough room for that, planters are commonly used in place of this requirement. The site plan shows an area for car preparation, which should be screened with a privacy fence from Hovey St. The plan also shows that customer parking will be on the adjacent property so a shared parking requirement should be provided. Staff recommends approval of the Special Use Permit with the following conditions: 1) The curb cut closest to Hovey St is closed or that area is not used for car display; 2) The car prep area is screened from Hovey St with a privacy fence, and 3) A shared parking agreement is provided.

J. Montgomery-Keast asked if there was a regulation stating how many cars could be on the lot for sale. M. Franzak stated that there was not a specific number. C. Beacham stated that their proposal was for a used car lot. They had been in business elsewhere for 10 years but that location was now zoned for medical marijuana facilities, so they wished to relocate the car business. J. Montgomery-Keast asked if there would be any vehicle repairs done on site, or if there would be tires and car parts laying around the property. C. Beacham stated that there would not be, as their

cars would be in ready-to-sell condition when they got them. M. Franzak asked about the car prep area shown on the site plan. C. Beacham stated that it would be located behind the building and would be used for minor things needed to get cars ready for the sales lot. J. Montgomery-Keast asked if the area would be screened. M. Franzak stated that screening was not shown on the site plan, but that it was needed. He also stated that if the curb cut closest to Hovey St was used for employee vehicles only and not to display cars for sale, that curb cut could be left in place.

A motion to close the public hearing was made by J. Montgomery-Keast, supported by J. Doyle and unanimously approved.

A motion that the request to operate a car dealership at 2386 S Getty St be approved with the conditions that 1) The car prep area is screened from Hovey St with a privacy fence, and 2) A shared parking agreement is provided, was made by B. Larson, supported by E. Hood and unanimously approved, with T. Michalski, E. Hood, J. Doyle, J. Montgomery-Keast, and B. Mazade voting aye.

Hearing, Case 2019-09: Staff-initiated request to amend Section 403 of the zoning ordinance to revise the intent of the Planned Unit Development option by allowing limited retail options. M. Franzak presented the staff report. The PUD option in single-family residential districts currently does not specify whether limited business options are allowed. Staff believes that limited business options, such as those allowed in B-1 districts, would be beneficial to residential PUDs. The proposed language to be added is in bold: “Planned unit developments (PUDs) may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Developments in the single family residential district is to allow for flexibility in the design of housing developments, including but not limited to condominium developments and cluster subdivisions, to allow for the preservation of open space; allow for economies in the provision of utilities and public services; **allow for the principal and special uses permitted in the B-1, Limited Business District, without reference to limitations on square feet/employment numbers of an individual use**; provide recreational opportunities; and protect important natural features from the adverse impacts of development.” Staff recommends approval of the amendment.

B. Mazade stated that he was concerned that some uses allowed in a B-1 district weren’t limited enough for a residential area, such as professional offices, for example. He asked what the reason was for removing the limitation on square feet; he preferred that size be limited so that places such as a big box retail stores or large office buildings would not be allowed. M. Franzak stated that the preface of the B-1 zoning ordinance stated that only businesses that served the convenience of the residents in the adjacent areas would be allowed, and he believed that would be sufficient to limit the scope of any businesses that could be included in the PUD. He stated that the square-foot limit was removed, so as not to prohibit things like restaurants from locating there. B. Mazade suggested that a larger restaurant may not belong in a PUD. J. Montgomery-Keast stated that there were noise, odor, and traffic considerations for a large restaurant that could have a negative effect on residential neighbors. Staff and board members discussed what size and type of business should be allowed in a residential PUD.

A motion to close the public hearing was made by B. Mazade, supported by J. Montgomery-Keast and unanimously approved.

A motion that the request to amend Section 403 of the zoning ordinance to revise the intent of the Planned Unit Development option by allowing limited retail options that are limited to those that serve the neighborhood, be recommended to the City Commission for approval, was made by J. Montgomery-Keast, supported by E. Hood and unanimously approved, with T. Michalski, E. Hood, J. Doyle, J. Montgomery-Keast, and B. Mazade voting aye.

Hearing, Case 2019-10: Staff-initiated request to amend Section 2331 of the zoning ordinance to allow applicants to donate trees to the City's nursery rather than to replace trees on site during development. M. Franzak presented the staff report. The zoning ordinance requires that certain live trees on development sites must remain or be replanted elsewhere on site. However, that is not always possible due to limited space. Staff is suggesting that those trees may be donated to the City's nursery instead. Current ordinance language states that "Preservation Required: All existing live trees in excess of twelve (12) inches in diameter and at four and one half (4 ½) feet above the ground shall be preserved as much as practical.". The proposed new language reads, "Preservation Required: All existing live trees in excess of twelve (12) inches in diameter and at four and one half (4 ½) feet above the ground shall be preserved. Those that must be removed and cannot be replaced on site may be donated to the City's nursery to be used elsewhere around the City." Staff recommends approval of the amendment.

M. Franzak provided an example of when it may not be possible to retain a mature tree on a site. J. Montgomery-Keast asked if it would change the landscaping requirements. M. Franzak stated that it would not.

A motion to close the public hearing was made by J. Montgomery-Keast, supported by J. Doyle and unanimously approved.

A motion that the request to amend Section 2331 of the zoning ordinance to allow applicants to donate trees to the City's nursery rather than to replace trees on site during development, be recommended to the City Commission for approval, was made by J. Doyle, supported by B. Larson and unanimously approved, with T. Michalski, E. Hood, J. Doyle, J. Montgomery-Keast, and B. Mazade voting aye.

NEW BUSINESS

None

OLD BUSINESS

None

OTHER

The Docks Development – There were people in the audience who wished to speak about The Docks development in the Bluffton area. Several audience members expressed concerns about the development's impact on the area, and asked that the Planning Commission do their due diligence to ensure that objective scientific studies were done regarding the development's environmental impact. T. Michalski explained that Planning Commissioners had not seen an updated plan for The Docks since the meeting held in the fall of 2018 and therefore could not comment on any updated plan. He stated that when an updated plan was received, the Planning Commission would hold a hearing at that time.

There being no further business, the meeting was adjourned at 4:50 p.m.

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